

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

CENTRAL DIVISION

20 APR 99 PM 3:56

DISTRICT OF UTAH

* * * * *

MYRIAD GENETICS, INC.,

Plaintiff,

v.

UNIVERSITY OF PENNSYLVANIA,

Defendant.

Case No. 2:98-CV-0829-S

ORDER OF DISMISSAL

BY: _____
DEPUTY CLERK

* * * * *

The instant action was commenced by the filing of a complaint on November 19, 1998. On March 10, 1999, this court issued an Order allowing plaintiff ten days in which to appear and show cause why its complaint should not be dismissed for failure to serve process on defendant within 120 days from the commencement of the action. To date, plaintiff has not complied with that Order.

Accordingly, plaintiff's Complaint is hereby dismissed without prejudice pursuant to Rule 4(m), Federal Rules of Civil Procedure.

DATED this 20th day of April, 1999.

BY THE COURT:

David Sam
DAVID SAM
CHIEF JUDGE

jag

United States District Court
for the
District of Utah
April 21, 1999

* * MAILING CERTIFICATE OF CLERK * *

Re: 2:98-cv-00829

True and correct copies of the attached were mailed by the clerk to the following:

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